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7 United States of America
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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA

Case No. 1:23-mj-00123-SKO

13 Plaintiff,

14 STIPULATION TO CONTINUE
DETENTION HEARING AND
PRELIMINARY HEARING
15

16 v.

17 JIA BEI ZHU, aka Jesse Zhu, Qiang He,
and David He,
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Defendant.
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21 IT IS HEREBY STIPULATED between the parties that the detention hearing and
22 preliminary hearing set for November 8, 2023, can be continued until November 16, 2023, at
23 2:00 p.m., before the United States Magistrate Judge on duty. Good cause exists for the
24 requested continuance pursuant to 18 U.S.C. § 3142(f)(2) and Fed. R. Crim. P. 5.1(d) because
25 defense counsel has a conflicting trial in another matter and will not be ready for the detention
hearing and preliminary hearing in this case until November 16, 2023. Time under the Speedy
26 Trial Act has already been excluded through November 8, 2023. The parties agree that time
27 shall also be excluded from November 9, 2023, through November 16, 2023, for purposes of
28

1 defense preparation and continuity of defense counsel pursuant to 18 U.S.C. §§ 3161(h)(7)(A)
2 and (h)(7)(B)(iv). The parties also agree that the defendant should remain temporarily detained
3 until November 16, 2023.

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6 Dated: October 25, 2023

/s/ Anthony Capozzi

7 Anthony Capozzi
Defense Counsel

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10 Dated: October 25, 2023

/s/ Joseph Barton

11 Joseph Barton
Assistant United States Attorney

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA
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9 UNITED STATES OF AMERICA

Case No. 1:23-mj-00123-SKO

10 Plaintiff,

ORDER

11 v.

12 JIA BEI ZHU, aka Jesse Zhu, Qiang He,
13 and David He,

14 Defendant.

16 Upon the parties' stipulation, and for good cause shown pursuant to 18 U.S.C. §
17 3142(f)(2) and Fed. R. Crim. P. 5.1(d), the detention hearing and preliminary hearing that are
18 scheduled for November 8, 2023, are continued until November 16, 2023, at 2:00 p.m., before
19 the United States Magistrate Judge on duty. Time under the Speedy Trial Act has been excluded
20 through November 8, 2023. Time shall also be excluded from November 9, 2023, through
21 November 16, 2023, for purposes of defense preparation and continuity of defense counsel
22 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

23 The defendant shall remain temporarily detained until November 16, 2023.

24 IT IS SO ORDERED.

26 Dated: October 31, 2023

27 /s/ *Eric P. Groj*
28 UNITED STATES MAGISTRATE JUDGE

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